

Cate

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

DANA CORPORATION, *et al.*,

Debtors.

Case No. 06-10354 (BRL)

(Jointly Administered)

Chapter 11

FORGE PRECISION COMPANY,

Appellant,

vs.

DANA CORPORATION,

Appellee.

Civ. No. 1:08-cv-00390-DLC

USDC SDNY
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STIPULATION AND ORDER DISMISSING APPEAL WITH PREJUDICE

The appeal of Forge Precision Company of the Order of the Bankruptcy Court Settling Memorandum Decision Granting Summary Judgment Disallowing Claim, dated November 28, 2007, to the United States District Court for the Southern District of New York, be and the same hereby is dismissed with prejudice, with each side to bear its own costs and attorney's fees.

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*Co-counsel for Appellant,
Forge Precision Company*

Dated: January 30, 2008

By:

Jonathan I. Rabinowitz
JONATHAN I. RABINOWITZ

So ordered.

James Cole
February 4, 2008

JONES DAY

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Counsel for Appellee,

Dana Corporation, et al.

Dated: January 29, 2008

By: 

BRETT J. BERLIN

SO ORDERED this ____ day of _____, 2008.

HONORABLE DENISE L. COTE
UNITED STATES DISTRICT JUDGE 

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